



UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket 0002 Re-Issue)

In the Application of: Neil Y. Gilbert)
Reissue of: RE 36,377)
Serial No.: 10/629,921) Art Unit: 3727
Filed: July 29, 2003) Examiner: N. Newhouse
For: Collapsible Container)

**REISSUE APPLICATION
SUPPLEMENTAL RESPONSE TO OFFICE ACTION**

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

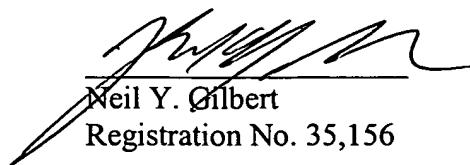
Dear Sir:

A response to the July 22, 2004 Office Action in the above matter was filed July 30, 2004. Upon inquiry with Examiner Newhouse on September 22, 2004, it was determined that all documents filed in this application on July 30, 2004 could not be located at the USPTO. Applicant herein re-submits copies of documents filed July 30, 2004 for consideration. Applicant believes no fee is due in light of the timely filing of the July 30, 2004 submission. If the Examiner believes otherwise, Applicant respectfully requests clarification.

Applicant believes the present application is in condition for allowance. Early and favorable consideration of the application is respectfully requested. If a telephonic communication would facilitate prosecution of the application, the Examiner is invited to contact the undersigned.

Respectfully submitted,

Dated: 9/24/04



Neil Y. Gilbert
Registration No. 35,156



9 - 27 - 04

IFW

UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket 0002 Re-Issue)

In the Application of: Neil Y. Gilbert)
Reissue of: RE 36,377) Art Unit: 3727
Serial No.: 10/629,921)
Filed: July 29, 2003) Examiner: N. Newhouse
For: Collapsible Container)

REISSUE APPLICATION
DOCUMENT TRANSMITTAL

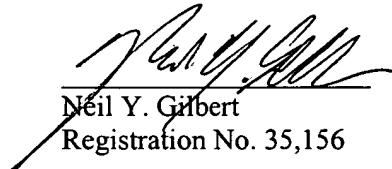
Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed herewith for filing in the above-identified Reissue Application are:

- Copies of Documents previously filed July 30, 2004 in this application, including:
 - Copy of Transmittal Letter *Filed July 30, 2004*
 - Copy of Date-Stamped Return Post Card *Filed July 30, 2004 and returned*
 - Copy of Offer to Surrender Original RE 36,377 under 37 CFR §1.178
Filed July 30, 2004;
 - Copy of Three (3) pages of Supplemental (Second) Reissue Declaration under 37 CFR §1.175 *Filed July 30, 2004* (plus 2 Exhibits); and
 - Copy of Response to the July 22, 2004 Office Action *Filed July 30, 2004*;
- Supplemental Response (necessitated by the PTO's failure to locate the above)
- Offer to Surrender RE 36,377 under 37 CFR §1.178
- Return Post Card

Respectfully submitted,

Dated: 9/24/04

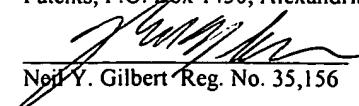

Neil Y. Gilbert
Registration No. 35,156

Correspondence:

Neil Y. Gilbert
IDEXX Laboratories, Inc.
One IDEXX Drive
Westbrook, ME 04092
(207)856-8252

Certification under 37 C.F.R. §1.10

I hereby certify that this Application Transmittal and the documents referred to as "enclosed" are being deposited with the United States Postal Service on this date September 24, 2004 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER 678316199 US addressed to: Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Neil Y. Gilbert Reg. No. 35,156



UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket 0002 Re-Issue)

In the Application of: Neil Y. Gilbert)
Reissue of: RE 36,377)
Serial No.: 10/629,921) Art Unit: 3727
Filed: July 29, 2003) Examiner: N. Newhouse
For: Collapsible Container)

REISSUE APPLICATION
OFFER TO SURRENDER PATENT
37 C.F.R. §1.178

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

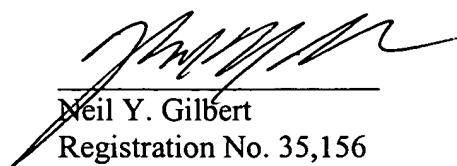
Dear Sir:

The undersigned Applicant in the above-identified Reissue Application for the reissue of letters patent for the improvement in Collapsible Containers, Patent No. Re. 36,377, granted November 9, 1999, of which Neil Y. Gilbert is the sole owner, hereby reiterates the offer to surrender the 36,377 Patent.

The Original 36,377 Patent was mailed to the USPTO on July 30, 2004 along with an Offer to Surrender. Upon inquiry with Examiner Newhouse on September 22, 2004, it was determined that all documents filed in this application on July 30, 2004, including the Original 36,377 Patent, could not be located at the USPTO. As such, upon information and belief, Applicant herein states that the Original 36,377 Patent is lost or inaccessible.

Respectfully submitted,

Dated: 9/24/04



Neil Y. Gilbert
Registration No. 35,156



UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket 0002 Re-Issue)

COPY

In the Application of: **Neil Y. Gilbert**)
Reissue of: **RE 36,377**)
Serial No.: **10/629,921**) Art Unit: **3727**
Filed: **July 29, 2003**) Examiner: **N. Newhouse**
For: **Collapsible Container**

**REISSUE APPLICATION
RESPONSE TO OFFICE ACTION**

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

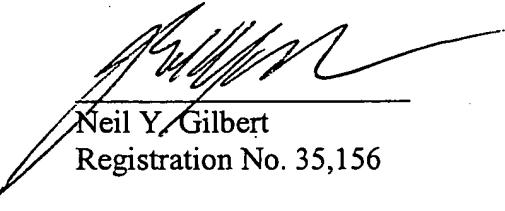
In response to the July 22, 2004 Office Action in the above matter, Applicant herein surrenders the Original Letters Patent to RE 36,377 under 37 C.F.R. §1.178.

In addition, Applicant submits a Supplemental Reissue Declaration. Statements in this Second Declaration are identical to those made in the prior, original Declaration with the addition of paragraph (19) to ensure compliance with 37 C.F.R. §§1.175, 1.63 and 1.68.

Applicant believes the present application is in condition for allowance. Early and favorable consideration of the application is respectfully requested. If a telephonic communication would facilitate prosecution of the application, the Examiner is invited to contact the undersigned.

Respectfully submitted,

Dated: 7/29/04


Neil Y. Gilbert
Registration No. 35,156

Correspondence:

Neil Y. Gilbert
IDEXX Laboratories, Inc.
One IDEXX Drive
Westbrook, ME 04092
(207)856-8252



UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket 0002 Re-Issue)

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In the Application of: Neil Y. Gilbert)
Reissue of: RE 36,377)
Serial No.: 10/629,921) Art Unit: 3727
Filed: July 29, 2003) Examiner: N. Newhouse
For: Collapsible Container)

**REISSUE APPLICATION
SURRENDER of ORIGINAL PATENT
37 C.F.R. §1.178**

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned Applicant in the above-identified Reissue Application for the reissue of letters patent for the improvement in Collapsible Containers, Patent No. Re. 36,377, granted November 9, 1999, of which Neil Y. Gilbert is the sole owner, hereby surrenders the Original letters patent.

Enclosed is the Original 36,377 Patent.

Respectfully submitted,

Dated: 7/29/04


Neil Y. Gilbert
Registration No. 35,156



UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket 0002 Re-Issue)

In the Application of: Neil Y. Gilbert)
Reissue of: RE 36,377) Art Unit: 3727
Serial No.: 10/629,921)
Filed: July 29, 2003) Examiner: N. Newhouse
For: Collapsible Container)

REISSUE APPLICATION
DOCUMENT TRANSMITTAL

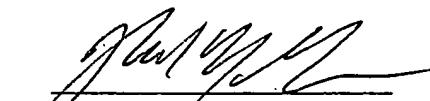
Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed herewith for filing is the above-identified Reissue Application are:

- Original US Patent RE 36,377;
- Offer to Surrender RE 36,377 under 37 CFR §1.178;
- Three (3) pages of Supplemental (Second) Reissue Declaration under 37 CFR §1.175 (plus 2 Exhibits);
- Response to the July 22, 2004 Office Action; and
- Return Post Card

Respectfully submitted,

Dated: 7/30/04



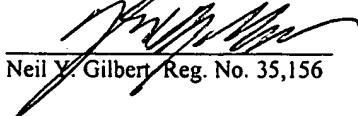
Neil Y. Gilbert
Registration No. 35,156

Correspondence:

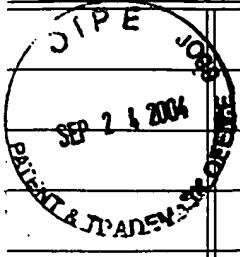
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Certification under 37 C.F.R. §1.10

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Neil Y. Gilbert Reg. No. 35,156



JULY 30, 2004 SUBMISSION TO USPTO:

ADDRESSED TO: MAIL STOP REISSUE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

COPY

RE: US SER. NO. 10/629,421 "COLLAPSIBLE CONTAINER"

ENCLOSURES: ① THIS POST CARD

- ② ORIGINAL US PATENT # 36,377
- ③ SURRENDER UNDER 37 CFR 1.178
- ④ SUPPLEMENTAL DECLARATION
- ⑤ TRANSMITTAL LETTER
- ⑥ RESPONSE TO JULY 22, 2004 OFFICE ACTION



VIA EXPRESS MAIL